

CHAPTER 807
Concession Stands at Youth Athletic Activities

807.01	Definitions.	807.99	Penalty.
807.02	Exemptions from State regulations.	Appx. I	Risk-based health standards for seasonal food concessions at youth athletic activities in Loudoun County.
807.03	Permit required; limitations.		
807.04	Applications for permit.		
807.05	Evaluation of permit applications.		
807.06	Authority of Health Director re waiver of State regulations.		

CROSS REFERENCES
 Department of Health - see ADM. Ch. 242
 Sunday sales - see B.R. & T. 836.01

807.01 DEFINITIONS.

As used in this chapter:

- (a) "Health Director" or "Director" means the Director of the County Health District.
- (b) "Youth athletic association" means an organization or group thereof whose purpose and function are to schedule, manage and supervise athletic events primarily for the participation of people under the age of eighteen years.
 (Ord. 94-18. Passed 7-20-94.)

807.02 EXEMPTIONS FROM STATE REGULATIONS.

(a) Pursuant to authority granted by Section 35.1.26, Virginia Code Annotated, the provisions of Title 35.1 of such Code, regulating hotels, restaurants, summer camps and campgrounds, shall not apply to concession stands at youth athletic activities if such stands are sponsored by either:

- (1) A youth athletic association; or
- (2) Any charitable or nonprofit organization or group thereof which is located in the County and which has been recognized as being a part of the recreational program of the County by ordinance or resolution of the Board of County Supervisors.

However, nothing in this chapter shall be construed to exempt permanent structures, which would otherwise qualify as concession stands under this chapter, from the operation of Section 25.1-8, Virginia Code Annotated, requiring compliance with the Uniform Statewide Building Code in the construction of such permanent structures.

(b) Any concession stand at a youth athletic activity exempted by this section from the provisions of Title 35.1, Virginia Code Annotated, shall be subject to regulation by the Health Director as provided in this chapter. The Health Director shall exercise the supervision of the sale of food at concession stands at youth athletic activities.
(Ord. 94-18. Passed 7-20-94.)

807.03 PERMIT REQUIRED; LIMITATIONS.

No organization shall operate a concession stand at a youth athletic activity unless such organization has received a permit to do so from the Health Director. In conjunction with the issuance of such permit, the Health Director shall have the authority to impose limitations on the menu offered and the method of operation of each concession stand.
(Ord. 94-18. Passed 7-20-94.)

807.04 APPLICATIONS FOR PERMIT.

The Health Director shall develop a form to be used for applications for the permit required by this chapter. Such form shall require that the applicant state the basis for its eligibility for treatment under this chapter and identify the concession stand which the applicant proposes to use and the applicant's proposed menu and method of operation.
(Ord. 94-18. Passed 7-20-94.)

807.05 EVALUATION OF PERMIT APPLICATIONS.

(a) Upon determining that the applicant qualifies for treatment under this chapter, the Health Director shall then consider the facilities available at the concession stand and the menu and method of operation proposed by the applicant.

(b) If the Director determines that the proposed menu and method of operation can be used at the concession stand without posing a threat to public health, he or she shall issue a permit.

(c) If the Health Director determines that the use of the proposed menu and method of operation at the concession stand would pose a threat to the public health, the Director shall deny the application and state his or her reasons for the denial with specificity. The applicant may design a menu and method of operation, in conjunction with the Health Director, which can be used at the proposed site without posing a threat to the public health.
(Ord. 94-18. Passed 7-20-94.)

807.06 AUTHORITY OF HEALTH DIRECTOR RE WAIVER OF STATE REGULATIONS.

The Health Director shall issue permits and shall exercise his or her authority under this chapter in accordance with the rules and regulations of the Board of Health, Commonwealth of Virginia, except that when limitations in the menu and method of operation which have been recommended by the Health Director are agreed to by the permittee, any or all of those State regulations which the Director determines to be unnecessary in light of those limitations may be waived by the Director. (Ord. 94-18. Passed 7-20-94.)

807.99 PENALTY.

Whoever violates any of the provisions of this chapter is guilty of a Class 4 misdemeanor and shall be fined not more than two hundred fifty dollars (\$250.00) for each offense.

(Ord. 94-18. Passed 7-20-94.)

APPENDIX I

RISK-BASED HEALTH STANDARDS FOR SEASONAL FOOD CONCESSIONS
AT YOUTH ATHLETIC ACTIVITIES IN
LOUDOUN COUNTY

The following standards shall be applied to existing and proposed operations based upon the types of food being served and the extent and complexity of the preparation.

The Health Director or his or her designee will conduct a risk assessment and apply part or all of the Virginia Regulations Governing Restaurants. Nothing in this chapter shall be construed so as to limit the degree of health protection required for any given circumstance.

Generally, standards will be applied as follows:

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| Risk Level I | - | No potentially hazardous food; no food preparation. Restricted permit required; follow Health Department restrictions. |
| Risk Level II | - | Some precooked, highly preserved potentially hazardous food or very limited food preparation. Restricted permit required; low-risk standards applied. |

EXAMPLE - Foods: Hot dogs (no chili), commercially prepackaged sandwiches, prepackaged pizza, tortilla chips with nacho cheese, prepackaged condiments in individual servings only.

Preparation: Hot dogs boiled and served on a bun, commercially prepackaged sandwiches and pizza heated in a microwave and served.

Sewage Disposal: Permanent connection not required; port-a-johns and approved graywater disposal may be used.

Water Supply: Permanent pressurized supply not required; bottled water from approved commercial source may be used.

Facilities for Utensil Washing: Three-compartment sink not required; utensils may be washed off-site (at home or in schools), but must be sanitized on-site prior to use by immersion in 100 ppm chlorine bleach and water solution.

Handwashing: Handwash basin not required; soap, paper, water and handwipes may be used; plastic gloves required.

Mop Sink: Not required.

(All other requirements of the Virginia Regulations Governing Restaurants are applicable except as waived.)

Risk Level III - Potentially hazardous foods or preparation more than described in Risk Level II.
Restricted permit required; high-risk full restaurant regulations applied.

EXAMPLE - Foods: Hamburgers, barbecues, chili dogs, condiments not individually prepackaged, etc.

Preparation: Grilled hamburger, deep fried foods, etc.

Sewage Disposal: Permanent public sewer or approved individual system required.

Water Supply: Permanent pressurized connection to public water or approved well.

Facilities for Utensil Washing: Three-compartment sink or commercial dishwasher.

Handwashing: Handwash basin with hot and cold pressurized water.

Mop Sink: Required.

(All other standards of the Virginia Regulations Governing Restaurants apply.)
(Ord. 94-18. Passed 7-20-94.)